

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:97-cr-00040-FDW

UNITED STATES OF AMERICA,)	
)	
vs.)	
)	
(11) JOSE NACACIO AMU,)	ORDER
a/k/a Amu,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on Defendant's pro se Motion for Compassionate Release (Doc. No. 630). Also before the Court are two Motions to Appoint Counsel (Doc. Nos. 617, 627).

The Court hereby ORDERS the Government to respond to Defendant's motion. The Government shall have **thirty (30) days** from the date of this Order to file its response with the Court. The Government shall advise the United States Probation Office if the Government believes a supplemental Presentence Investigation Report will be required.

With respect to the Motions to Appoint Counsel, criminal defendants have no right to counsel beyond their first appeal. E.g., United States v. Kenny, No. 3:01-cr-00185-FDW, 2020 WL 2094116, at *1 (W.D.N.C. Apr. 30, 2020); United States v. Ismel, No. 3:94-CR-00008-1, 2012 WL 113392, at *1 (W.D. Va. Jan. 13, 2012). Defendant has not shown extraordinary circumstances warranting the appointment of counsel at this time.

Accordingly, Defendant's Motions to Appoint Counsel (Doc. Nos. 617, 627) are DENIED. The Court will DEFER ruling on Defendant's Motion for Compassionate Release until after the Government files its Response.

IT IS SO ORDERED.

Signed: July 10, 2020

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
United States District Judge

